

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DAVID WEBSTER, ANNA SHIN, and ANDREW BERGH, on behalf of themselves and all others similarly situated,

Plaintiffs,

-against-

SMITHFIELD ASSOCIATES LLC d/b/a PASTIS RESTAURANT, WINDY GATES, SOHO, INC. d/b/a BALTHAZAR RESTAURANT, and KEITH MCNALLY,

Defendants.

Index No.: 08 CV 0166 (LTS)

**DEFENDANTS' CERTIFICATE  
PURSUANT TO RULE 7.1  
OF THE FEDERAL RULES OF  
CIVIL PROCEDURE**

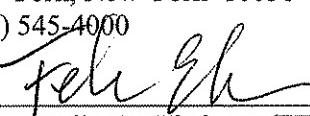
Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure and to enable the Judges and Magistrates of this Court to evaluate possible disqualification or recusal, Defendants sued herein as "Smithfield Associates LLC d/b/a Pastis Restaurant" and "Windy Gates, Soho, Inc. d/b/a Balthazar Restaurant" by their undersigned counsel, hereby certify that each is a privately-held corporation with no parents or publicly held corporations that own ten percent (10%) or more of their stock.

Dated: New York, New York  
May 13, 2008

Respectfully submitted,

JACKSON LEWIS LLP  
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By:

  
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